es may be Wallace Thayer, who was Pennell's intimate friend and attorney and who received the bond providing \$25,000

MRS. BURDICK TAKES THE STAND. Shortly after 10:20 o'clock, when Justice turphy took the bench, Mrs. Burdick appeared, looking worse than she did at the first session. She could not have had a restful night, for her face was paler than ever and the lines in it were more tensely

drawn.

The District Attorney continued the line of questioning from the point at which he left off vesterday.

Q. There was an occasion, Mrs. Burdick, about two years ago when you and Mr. Burdick had quite an altercation at your home on Ashland avenue in this city? A.

home on Ashland avenue in this city? A. Yes, sir.

Q. After the happenings of the event of that time it was necessary for him to wear court plaster on his head or forehead, was it not? A. No, sir.

Q. Didn't you at that time strike him over the head with a chair or some other article? A. No, sir.

Q. What was the altercation to which you refer? A. The finding of the box and his compelling me to give him the key to the tin box that I had.

Q. Do you remember an occasion in the month of January, 1902, when he left his home and lived at the Genesee Hotel in this city? A. He went out of town and then he came back; he didn't come to his home.

Q. You received a letter from your husband, written from Indianapolis, in January of last year, Mrs. Burdick? A. I don't remember.

Mr. Coatsworth produced and read the letter which ran as follows:

letter which ran as follows:

INDIANAPOLIS, Ind., Jan. 29, 1902.

DEAR ALLJE: In the mail from the office I received to-day a note from A. R. P. with the purport of which you are doubtless familiar. I write now simply to say that should I hear further from him when I get back, as he suggests, I shall say that I prefer not to see him, as an interview would benefit no one and would not change the absolutely unsiterable course upon which I decided a long time since.

He says, "Great interests are dependent, yours greater than mine." His interests are indeed ridiculously small and those of the family he has finally succeeded, after repeated attempts, in completely wrecking wofully great.

attempts, in completely weeking wofully great.

You know that I am well aware of the fact that my action will mean my complete ruin, financially and socially, so that an interview to tell me this would do no good. Several weeks ago I fixed upon Feb. 3 as the date for commencing my suit, and it will be commenced on that date if my health will permit me to attend to it and my attorney can prepare the papers. I put off the date as long as I could, thinking possibly he might conclude to leave the city, but he has not done so, and the date will not be changed.

I will be in Buffalo Saturday, and shall wish to see the children once more, Sunday, and will 'phone when I want them to come to the hotel. It will be hard to tell them I am not coming again. I shall leave it to you to tell them why.

Q. Do you recall receiving such a letter

Q. Now after that time, and after that occurrence, you continued to meet Mr. Pennell. A. Occasionally, occasionally; ses. sir. He besought me continually.

Q. What was the date, as you now recall it, when you stepped out of the window of that house on Seventh street. A. Dec. 2, I think, 1802.

Q. And immediately after leaving the

A. No. sir.

Q. You had not commenced any suit against Mr. Burdick? A. No. sir.

Q. Was Mr. Burdick? A. No. sir.

Q. Was Mr. Burdick at home when you arrived? A. Yes, sir.

Q. Will you state what he said to you when you came into the house that night? A. He said. "I know where you have been?" I said. "I have—I have just come from the church." He asked me why I didn't let him in when he rapped on the door, and I said. "I would have done so if I had known it was you." But I didn't know it was him. He said I would have to leave the house. I said. "Why, I don't know." He finally suid that I needn't go that day. He said. "You better communicate with Mr. Pennell, and Mr. Pennell to the drug store with me while I telephoned Mr. Pennell, and Mr. Pennell to get for him some of the detective papers that were in her safe deposit box. Her husband called on her at the Genesee. Q. Did you have a talk with him at that I wanted to see him to explain some things to him that I thought he did not understand in regard to my actions, and he was inconsed that there had been so much delay regarding the divorce proceedings and I wanted to explain to him that R hadn't been my fault.

Q. You didn't want to defend the suit for the process of the day nicate with Mr. Pennell right away." He went to the drug store with me while I telephoned Mr. Pennell, and Mr. Pennell said. "You had better come down to the office and I can talk with you here." That is the only time I was ever in Mr. Pennell's office. Mr. Burdick went down in the car with me and saw me get off of the car with me and saw me get off of the car and go to Mr. Pennell's office. Mr. Fonnell said I had better go to the Falls, so that I could communicate with him if I wanted to I were home and Mr. Burdick came between 8 and 9 o closes, and we had another task, and be finally each that he would go downtown and stay that I meetin't go away that right. But he decided to stay go away that right. But he decided to may at the house that right. Exerything was very amounty arranged, it accumed to me We weren't rether one of se angry or had any beeing or hatres or accuracy, appar-ently, to each other at al.

stilly, to each other at all all all the following day, then 2, the estimating day, then 2, the estimations is this distorce action against prob bringle to your historial was served was it used A. Lee, or The following day, then a 1 sensi to Bingara Faib, taking a frank Italia of clothing and with the idea that I was leaving home forever. If fortable was with me. Mr. Pennsel did not contain a did not been at the comments of the contains a did not only at the comments that the did not contain a did not contain a

Q. And what did you tell her? A. I said: I don't know," and she left the room. MRS. BURDICK IN NEW YORK.

After five days in Niagara Falls Mrs. Burdick returned to Buffalo and Pennell met her at the station, where they talked for hours. That evening Mrs. Burdick went to New York and lived at a boarding

house for a day or two.

Q. What boarding house? A. I don't remember where it was. Mr. Pennell found it for me, out—way out. I didn't like that and I then went to the Hotel Roland, and I stayed there a day or two. I didn't like that. Then I went to the Buckingham, and there I remained and there I remained.
Q. Now, did Mr. Pennell accompany
you to New York city at that time? A.

He went on the same train.
Q. And in the same car? A. Yes.
Q. Sleeping car? A. Yes, sir.
Q. How long did you stop at the Hotel
Roland in New York city? A. I don't remember—two or three days, three or four

days perhaps.

Three weeks later Mrs. Burdick went to Atlantic City. She had seen Pennell almost every day, but did not met Mrs. Pennell, who also was in New York.

Q. Mr. Pennell told you that his wife knew that you were there? A. I think he did, yes. MRS. PENNELL'S APPEALS TO MR. BURDICK.

Q. Do you know whose writing that is? [Showing letter.] A. I should judge that was Mr. Pennell's.

Mr. Coatsworth—Right here, your Honor, I desire to read a letter dated New York, Dec. 29, 1902, by Mrs. Arthur R. Pennell to Mr. E. L. Burdick, 45 North Division street, as follows:

as follows:

Dear Ed: I feel impelled by some power to send you one more word of warning, although you disregarded my note written a week ago. Positively, I can say that Arthur will make no move against you in any way. Then allow your better self, that kind humanity within one which pleads for deeds of kindness, to consecrate the close of the year by one act which you will never repent as long as you live. Think of the dear children who are here in this world through no will of their own, and do not blast their young lives by a scandal so great they can never live it down. Allie is going to Atlantic City, and what the end of that trip will be God only knows. There will not be time for me to write you again. I can only say as a final warning that the hardest thing of all is to live to regret. Sincerely,

"This is a little out of order, your Honor."

"This is a little out of order, your Honor, commented the District Attorney. But I want Mrs. Pennell's letters in evidence." He immediately produced another. It ran:

that my action will mean my complete ruin, financially and socially, so that an intervention for the companion of the compani

this appeal could not have been made in vain.

Send her but one line or telegram and you will have achieved honor that will make you far happier in years to come than any personal gratification just now, honor that any man might feel proud of, for it would be a victory of your best nature over seif, which is the hardest battle that any of us have to fight. Yours truly. Q. And immediately after leaving that house you went to what church? A. The Church of the Messiah. They were holding a fair there and I was on one of the committees. At the house I talked with Mr. Pennell in regard to the divorce.

Q. Now at that time, Mrs. Burdick, no action for divorce had been commenced?

A. No. sir.

incensed that there had been so much delay regarding the divorce proceedings and I wanted to explain to him that it hadn't been my fault.

Q You didn't want to defend the suit, did you, at that time? And that is what you explained to him at the Genease at that time that it was not your fault about the divorce proceedings being held up? A Being delayed, yes.

Q You were willing at that time, so far as you personally were concerned, that this divorce suit should go right on and that he should obtain the divorce? A Why, I couldn't quite make up my mind whether I had any very decided feelings in the matter of not. Mr. Feather feel very decided about it and I left it with him to decide finally whather the defence should be made.

Q Did Mr. Peaned at any time state to your what the defeates would he? A He gave the to undered and perfectly that the defeates would he? A He gave the to undered and perfectly that the defeates would he? A He gave the to undered and perfectly that the defeates was strong should.

Q On Inc. If you wante a letter to your bashand after you had been away from bonne along their feel you wanted.

Q In that letter proposed, he regard to the pending action. Arthus any that my from home along their mental have to effect apor that any faint inchain mental have to effect apor that any faint inches would have the afterness to the state there are a defence to the state the same the change made? A I think he cause I think a period practically it is being done under a defence to the state the same that are change made? A I think he cause I then a same a made? A I think he cause I the same made and have the change made and the change made and the same had a same and have fine change made and it is the same and that are a featence I think he cause I the same and there are defence to the change made and it is expected as a featence of the change and any fine that it can change and account the care in the same and the change and any large and the change and any large and the change and any large and any larg

Q You supposed, and so did Posteril. to deare a field to then they take a good or deare and the dealers if it hade to every treatment of the terms to the treatment of the terms to the terms of the t

that Mrs. Pennell would get a divorce from her husband? A. Yes, sir.

Q. And then, after a short time, you discovered that Mrs. Pennell would not get a divorce from her husband? A. No, sir.

Q. Didn't Pennell tell you that his wife refused to get a divorce from him. A. He said sometimes she would and then again she would not give him any satisfaction. But I don't think he ever told me that she absolutely refused.

PENNELL AND MRS. BURDICK PLANNED TO

PENNELL AND MRS. BURDICK PLANNED TO

But I don't think he ever told me that she absolutely refused.

PENNELL AND MRS. BURDICK PLANNED TO MARRY.

Q. You and Pennell had a quarrel about it at that time, did you not? A. Not a quarrel, but we disagreed upon it.

Q. What did Pennell say he was going to do with you when this divorce was granted to your husband against you? A. That I should go and get a divorce West somewhere and be freed, and that he, too, would get a divorce and we would be married.

Q. Did you at that time know anything about Mrs. Pennell's financial standing? A. No, sir.

Q. Now, I asked you some time ago if you had ever seen Mr. Thayer? And what reply did you make? A. That I never had seen him but once, I believe.

Q. Where was it you saw him? A. I think we were riding on our bicycles several years ago and we met him on the road somewhere and I was introduced to him by Mr. and Mrs. Pennell.

Q. Did you ever call on Mr. Thayer at his office? A. Never, and never had a letter from him.

Q. What paper was that that you got from Mr. Thayer or from Mr. Thayer's office last year, some time before this divorce suit was brought? A. I never had any paper from him.

Q. What paper did Pennell give to you or somebody else give to you for him? A. None that I know of.

Q. Did you ever receive a letter of introduction to Wallace Thayer from Mr. Pennell? A. There was in the detective papers, now that you recall it, I remember, an envelope directed to Mr. Thayer in that package. There was also some other envelopes, sealed. That was sealed. I think, as well. I merely put it in my safe deposit box. I did not even read the detective reports.

MR. PENNELL GAVE A BOND OF \$50,000 TO PAY MRS. BURDICK \$25,000.

MR. PENNELL GAVE A BOND OF \$50,000 TO PAY MR. PENNELL GAVE A BOND OF \$50,000 TO PAY MRS. BURDICK \$25,000.

Q. Where is that bond that Mr. Thayer gave to you? A. Mr. Thayer did not give me any bond. I know of no such paper.

Q. You don't mean to swear, Mrs. Burdick, that Mr. Pennell didn't give you the bond? A. I swear to that, Mr. Coatsworth. I don't know anything about it whatever. it whatever.

worth. T don't know anything about it whatever.

Q. Is it not a fact, Mrs. Burdick, that he gave to you his bond to secure the payment to you of the sum of \$25,000? A. Not that I know of, Mr. Coatsworth.

Q. Do you mean to say you don't know anything about that, Mrs. Burdick?

A. Yes, I don't know anything about that. Those things may have been in the sealed envelope.

Q. Do you remember receiving such a letter as that? [Showing letter to witness.]

A. No, sir. I never received it.

Q. You had a talk with Mr. Pennell around the 1st of last May about what should hap-

the 1st of last May about what should hap-pen to you in case your husband should put you out of the house or get a divorce from you? Didn't he at that time promise support in the event that time promise to give you protection or furnish you with support in the event that your husband put you out of the house or did get the divorce from you? A. I don't remember.

Q. Didn't he ever tell you that he would give you his bond to secure to you the payment of \$25,000 out of his estate or life insurance? A. No. sir.

give you his bond to secure to you the payment of \$25,000 out of his estate or life insurance? A. No, sir.

Mr. Coatsworth produced one of the papers secured by Burdick when he gained entrance to his wife's safe deposit box. It was a letter of introduction from Pennell to Wallace Thayer, his friend and attorney, and it read:

"This will introduce to you Mrs. Alice H. Burdick, the lady named in my sealed letter to you of this date." It was written on June 2.

Q. You never saw the original of that letter? A. No, sir.

Q. Now, here is a copy of a bond which bears date May 1, 1902, given by "Arthur R. Pennell to Alice H. Burdick, in the sum of \$50,000, to secure the payment of \$25,000 to Alice H. Burdick on or before the first day of November, 1902, and if not paid at that time then the bond is to remain in full force and virtue." Did you ever receive that \$25,000? A. No, sir.

Q. Do you know whether any provision was made by Mr. Pennell to secure to you payment of the \$25,000? A. No, sir.

Q. Do you know whose writing that is? Showing another paper to witness., A. It looks like Mr. Burdick's very much.

Q. Very strange thing how Mr. Burdick could know all about these things in your private box, and you not know about them, is it not? A. I think so, yes, sir. I can tell you, Mr. Coetsworth.

Mr. Hartsell -Explain how they got in

Mr. Hartsell -Explain how they got in

MR. BURDICK GOT PAPERS THEOUGH WIFE'S SIGNATURE.

A. I went there to my box in the safe deposit vault, to get papers I kept while Mr. Pennell was out of town. As I came out, Mr. Truscott said to me, "Has your brother still authority for getting into your box here?" I said, "I have no brother." He said, "Mr. Burdick." I said, "Mr. Burdick is my husband."

He drew out a piece of paper and showed it to me, and he said, "Is this your signature?" I said, "yes." He said, "Will you read that order?" It was an order declaring that I gave Mr. Burdick access to my box until further notice, and it was signed by me. I was simply dumfounded, of course. I said, "Mr. Truscott, I can't deny that that is my handwriting, but how it ever came upon that order I don't know." And he said, "Well, it seems to be there." I said: "I can't censure you at all; it seems to be in legal form and all right." But it was gotten when I didn't know it, under false pretences or something, and I couldn't imagine how in the world I could have signed that paper. But I think I know now how it came about I was signing some legal papers for Mr. Burdick, and I think he slipped that blank paper up under the other and I signed it and he filled it out afterward. That is the reason that I was o'bliged to come back from Atlantic City to get those papers, because my box had been entered that way

City to get those papers, because my box had been entered that way

Q. Then Mr. Burdick had a key to your box in the vauit as well as yourself? A I never gave him one

hove gave him one.

Q. Well, how did he get access to your box? A I don't know where he got the key. He never told me.

Q. Was application ever made to the court for an allowance of alimony or support for you? A I don't remember. I don't

Did Mr. Burdick ever furnish you with any money while you were at Atlantic City? A No. sir.

1) Did Mr. Pennell furnish you with money while you were away? A Yes

MET IN NEW YORS JUST BEFORE MURDEN.

Now came the story of Mrs. Burdick's journey from Atlantic fity to New York on Feb 12, four days before her husband was murchered. Petraell mes her at the Twenty-third Street Station. He had entimoted her to New York that she might sight the papers in the answer to the diverse will. She went to the Victoria Hotel and Pennsell may at the Hellman House in Feb. 22 they men in the papers were eighed. G. What though place latterness you and Mr. Pennsell and the papers were eighed. G. What though place latterness you and Mr. Pennsell at this Translay marring or before you left for Atlantic City on this Tuesday marring or before you left for Atlantic City on this Tuesday and ming or before you left for Atlantic City on this Tuesday for have all although he secured again of a still accurate that everything was giving out all right and that I shouldn't had good defector and that everything was costing out all right. G. And that Mr. Burchick would not get a director from youy? A You are had I relied upon him purfactly in that.

G. Daw he had a part of the said to see a director from pay? A You are had I relied upon him purfactly in that.

G. Daw he had a decided the could had everything was costing out all right. He said he conjetu's test, it english he would in eachie to include the called to Suffails. He said is conjetu's test, it english he a week said it saight he had disposed and suggest and success for the said he said it english he had disposed of suggest he would never some to that the dispose of suggest he child never some to that the dispose of suggest he child never some to that the dispose of suggest he child never some to that the dispose of suggest he child never some to that the dispose of suggest he child never some to the said.

THEODORE B. STARR

Diamond Merchant. Jeweler and Silversmith. MADISON SQUARE WEST

Between 25th and 26th Streets Established 1862. 15 years on John St. as Starr & Marcus. 25 years as above.

SPECIAL NOTICE.

No connection with any other house in this line of business.

for saying that he was obliged to leave that night and be in Buffalo the next morning?

A. Only that he had to.

Q. Did you hear from Mr. Pennell after he arrived in Buffalo?

A. No.

Q. After leaving him at New York on this Tuesday afternoon, did you write him a letter prior to getting the information that your husband was dead?

A. I think I wrote him that I got there safely.

Q. Did you receive a letter from him after he left you on the train going to Atlantic City that Tuesday afternoon and before your husband's death was announced to you?

A. No, sir.

Q. Did you receive any telegram from him?

A. No, sir.

DESTROYED HER MOTHER'S LETTERS.

DESTROYED HER MOTHER'S LETTERS.

DESTROYED HER MOTHER'S LETTERS.

Mrs. Burdick said she was at the Traymore, Atlantic City, on the night of the murder. On the morning of the 27th of February she received the telegram from her mother saying: 'Come at once; Ed died this morning.'

She was closely questioned as to the letters she received from her mother the preceding week. She said she got several and destroyed them.

Q. You didn't destroy the letters that you received from Pennell? A. Oh, yes, I always destroyed them when I was away.

Q. That is, you destroyed all the letters that you received from anybody after these letters of Pennell's got into your husband's possession—that is what you meant? A. I think I usually destroyed my letters, anyway.

Q. That is not your Mrs. Paradick for a contract of the said she was a supposed to the said she was a suppossession—that is what you meant? A. I think I usually destroyed my letters, anyway.

way.

Q. That is not usual, Mrs, Burdick, for a lady to destroy letters that she receives from her mother, or from friends, social letters? A. I don't know. I was living in a trunk. They accumulate, and I just simply made it a practice of destroying them all as they came.

Q. There was not anything in those letters that you need fear any of the maids about the hotel knowing, was there? A. I didn't care to have my private correspondence

care to have my private correspondence read.

After she was notified of her husband's death Mrs. Burdick sent two telegrams, one to her mother and one to Pennell.

Q. What telegram did you send to Pennell? A. I said: "I leave for Buffalo tonight. Meet me at the station," I didn't know what I was doing, Mr. Coatsworth. I was simply stunned and shocked at the announcement and I didn't know. I wanted him to meet me at the station.

Q. Well, he was not your lawyer, was Q. Well, he was not your lawyer, was he? A. My lawyer? No, he was my friend.

MURDER.

MRS. HULL TELLS MRS. BURDICK OF THE MURDER.

Pennell did not meet her at the station. A reporter who recognized her told her that her husband had been murdered, and that was the first she had heard of the murder, she said. She went to the house on Ashland avenue and met her mother.

Q. Please tell what happened. A. I said: "Mamma, what does this mean?" She said: "Here, in his own home—in the den." We sat down on the divan in the back parlor and she told me what she knew about it.

Q. What did she tell you? A. Why, she told me that she had heard of it in the morning and that Maggie had discovered the kitchen window's being open and had come through and found the front door open, and had turned and saw the den door closed, which was something very unusual. We never had the den door closed. And she went upstairs and discovered that Mr. Burdick's bed had not been used, although it was turned down ready to he used, and she called to mamma and told her of those facts. Mamma was dressing. She slipped on the rest of her things and came down facts. Mamma was dressing. She slipped on the rest of her things and came down the stairs, and, as Maggie had raid, the door was closed. She, of course, looked there, for it was something very unusual. It startled them all on that account, it was so unusual, and she looked in there. It looked all so strange and was dark, and she called to him two or three times and there was no answer and she was so distremend.

Maggie asked mamma if she would look in, and she said no, she wouldn't and she said. 'Well, then, I think we better call Dr. Marcy immediately,' and she said she'd go to the drug store, so to not distress the children if there was anything serious, and Maggie did so. She told me this during the day, of course.

and Maggie did so. She told me this during the day, of course.

Q. Where else have you heard all this that you have just been telling besides from your mother? A. Maggie.

Q. Reading it in the rewspapers, too?

A. No, sir. I haven't read the newspapers.

Q. Did your mother tell you at that time when she looked into the den that the raw Mr. Burdick lying there? A. She didn't know that it was Mr. Burdick.

Q. Did she see any human form lying in there? A. She didn't know what it looked like.

like.
Q. Did she say whether or not at that time she thought Mr. Burdick was ill?
A Why, yes, she supposed he was ill. She called for him, and then when he didn't answer she thought there must be something more serious.
Q. You knew Mr. Bolton, your next-door neighbor? A. Slitchle see

Q You knew Mr. Belton, your het she first chought about setding for Mr. Belton to come over? A. I don't remember whether

come over? A. I don't remember whether she said that or not.

Q. Did you see Mr. Pennell the day, on Saturday, that you returned? A. No. sir.

Q. Did you receive any letter from him?

A. I did on Saturday.

Q. What was that note? A. He said. "Bear Allie: I was at the Fails when your telegram arrived, so that I couldn't finest you. I am greatly "I can't remember the exact words." I am greatly rhocked at this awful thing that has come to you ard the children. If you want to communicate with me do so." That was all there was in it.

was in it.

She said she did not write Pennell or telegraph him and rever saw him after she left him in New York.

At 17.00 o'clock a recess was taken for had been agony for the growd.

After sevence Mr. Calabarouth placed in orbital a letter written by Mrs. Protected to Mr. Shartlesh from the Walshorf Antonia on the 27, 1800; it small the Walshorf Antonia on the 27, 1800; it small the same the whole of Antonia on the 27, 1800; it small the same the whole sevence of the article story that from our mylling to bake the whole sevence that from our mylling to bake the whole sevence that a first take the whole sevence that a first take the whole sevence that a first take the batter and he with Arthur also he take the take the barten and he with two and ray are marrialized source that the story grant Mr. Sheet the four date and he with two and he will be sent to the same the contained of the same that a same the same the same the same the same that a same the same the same that a same the same that the sa P. PERMELL'S HIST OF TOLENCE

her husband from New York on Dec. 28.

It said:

DEAR ED: This is Sunday afternoon and I feet that I must write you a few words. I expect to go down to Atlantic City the middle of the week and before going I want to ask you if your feelings are absolutely unchanged. Is there no alternative. Arthur tells me that in an interview which he had with you he asked I there was anything that he could do to change your plans, any sacrifice that he could make, and you firmly said your course was unalterable. Now, I want to ask the same question. It there no alternative? This I ask for the children's aske. They are much more to me than they are to you, as I know. I shall hope to hear from you soon, but if I do not before I leave here I will wire you of my address there. I am not very well and perhaps the change may make me feel better, although I have thought if I were well out of the way everybody would be better off. Please don't send me such a bitter letter as your last. Yours, Allie.

Q. At the time you wrote this letter to

Q. At the time you wrote this letter to your husband, Mrs. Burdick, Mr. Pennell and Mrs. Pennell were in New York city? A. Yes, sir.

She said she had no conversation with Mr. Pennell at that time about the suicide of either or both.

The next letter at the District Attorney's hand was written by Pennell to Mrs. Burdick on Sept. 18, 1902, from Portland, Me. It follows:

It follows:

My DEAREST: This is Wednesday night and is the first chance I have had to write you. I had no time in Boston yesterday as my train was late and I had hardly time to make connections. I am down in Harpswell tonight where I have come to visit some of my old boyhood haunts. I return to Portland to-morrow. Have not yet decided when I shall leave for Boston; either Saturday or Monday. Will let you know. The night is beautiful, the moon shining full upon the water. I look up at it and think of you, then try to turn my thoughts away. I love you and I want you, but you are not with me nor ever will be. I am unhappy, lonesome, heavy hearted and apathetic, can write no more to-night. Fate is inexorable unless we choose to break it. Ever yours.

Q. Do you recall receiving that letter

Q. Do you recall receiving that letter from Mr. Pennell? A. I do not.
Q. You had received letters from him in that melancholy mood or tone? A. Why, I guess so. He was a man of emotions.
Q. Can you tell us, from the knowledge that you had of Mr. Pennell, as to what he meant when he wrote in this letter: "Fate is inexorable unless we choose to break it?" A. Choose to get the divorce and we be joined in that way, it seems to me.

Next came a letter written by Pennell from the Hotel Somerset, Boston, on Sept. 22, 1902:

Dearest Love: This is also a very hasty

from the Hotel Somerset, Boston, on Sept. 22, 1902:

Dearest Love: This is also a very hasty note. I am at this hotel. Could not get in at the Touraine, as it was too crowded. I got your letter there. I was not surprised that its tone was not happy. We are both of us too unhappy and too much alike not to feel the same and we seem to be powerless against our fate. But we had our opportunity and let it pass and it will never come again unless we force it to. To-morrow I leave here for New Haven. Address there Graduate Club. Wednesday I shall leave there for New York. Address there the Waldorf-Astoria, as usual. Expect to be home Saturday morning. There are some matters which I want to attend to in New York which will keep me until then. I will write you again. Shall leave New York Friday, night. Am tired and unhappy tonight, Will write no more. I love you and I want you. My heart always cries that. Dearest, my own, my darling. ARTHER.

Q. Tell me what he means when he says:
"But we had our opportunity and let it
pass and it will never come again unless
we force it to." A. I think he means to
refer to the time that I was at Atlantic City

refer to the time that I was at Atlantic City and came back. I was away then and we might have been together if I had stayed away instead of coming back from Atlantic City.

Pennell was a steady, as well as a ready letter writer. On Sept. 28, 1902, he wrote that he was on his way to New Haven and would be in Buffalo two days later. He went on thus:

If I did not want to see you I should stay

would be in Buffalo two days later. He went on thus:

If I did not want to see you I should stay longer, but my heart drives me, the longing is too great, but some time it will cease though only when my breath ceases with it, and how soon that comes I do not much care. Fate has that in its keeping. But I think and hope it will not be very long.

And after all it is the only way in which you will be safe and have your children, who are so much to you. But you will pey a fac greater price than you can dream of now in the long years when I am not here to take you, for now it is known that I am ready to take you, but then I will not be here to defend you or myself and I and you will be assailed and you will have no defere, but it is all fate, and upon the knees of the gods. I think I shall go away again after coming this time for I can't stand it there, loving you and wanting you and to, and I only endanger you and those you most care for.

My letters are all unhappy, but I cannot make them otherwise. For they reflect myself too much and I am pever happy, except with you. Darling, my all, forgive me for I love, you and it is much to me.

Q. He ways something in these letters that he don't care how lorghe lives. He had talks with you along those same lines?

A. No, not at all. But I remember at times he said that life was not as sweet to him as it was to a great many.

Q. What did he say to you at any time about putting an end to his existence?

A. Nothing an end to his existence?

A. Nothing definite in any way.

Q. Well, what did he say that might have been indefinite to the average mind that made you think that that was what he meant? A. I said on Mr. Pennell's death I did resumber one occurrence in which meant? A. I said on an remain which he did remember one occurrence in which he said that if he should be crippled for life or maimed or anything of that kind, that or maimed by mirerable all his would trake him simply miserable all his life; that he thought anyhody was justified in making away with themselves. But it was only in that general way. He was emotional, very sentimental, high strung.

Mr. Costsworth read a letter written by Pennell from the Waldorf-Astoria on Sept. 25, 1902. He referred to some songs he had bought and added:

A compressor.

HAD PERSONAL A KEY TO THE DURDICK MOVING!

Mr the teach the gas to question Mr. Surdick about her key to tur house. She derived that Pertectly had a key and that he had had a deprised to a deprise the had had a deprised to track while they were together in New York. Whe said, astrice questioning, that her mother did not know of her explanate with for mother did not know the small statistics. Market did not know the small statistics with formed and the other characteristics with formed the notes to the said and know the small har dear dear which your relative with formed if A. A. ast of Dr. post bears whether at mot four mother tage some Mr. Pennied where you follows the fact of the post bears whether as mot for post traces whether as the following the state of the fact of the fact of the said and the said of the fact sens praisies agests apparatus or

4 Mary you promised may information from may other place your seture at Fel. 22 as to write billed your hashould? A So.

WM. VOGEL & SON.



The Fit of a garment is made or marred in the making of the shoulder. Our "CONCAVE" Shoulder.

The vital part of every coat is the shoulder upon the shoulder depends the fit of the coat. The ordinary shoulder is made by stuffing it out with wadding, and the trouble with wadding is that it is bound to stretch and sag and lose its shape, thus destroying the hang of the garment.

Our "Concave" shoulder is not only a perfect shoulder, but it insures the fit of the coat at every point.

Our "closefitting" collar is another important feature which we have put into all our new spring suits and overcoats from the lowest to the highest priced ones. Here are some of our new

SUITS AND OVERCOATS AT \$25.

Medium length Overcoats, made of black and Oxford, soft finished materials, slik lined to edge or slik lined, \$25. Dark gray worsted medium length Overcoate, silk lined, \$25. Cenuine Cravenette Rain Coats, extra long, \$25. Sack Suits, double or single breasted coats, made of undressed worsteds, cheviots and hard finished worsteds. In

The new Paletot and Paddock, \$25. WM. VOGEL & SON,

Broadway,

all the new shades of gray. \$25.

Houston St.

Oriental Rugs

Make beautiful rooms possible to any home. If you have a dining, reception or bed room that "needs something" just tell us the color scheme of the room and we'll show you how to beautify it and you'll quickly understand why this is the

Largest Rug House in the World

FRITZ & LA RUE

NEW YORK STORE, 894-896 Broadway, near 20th St.

PHILADELPHIA STORE 1218-1220 Chestnut St.

Q. You never heard anybody say that e or she was going to do it? A. Most he or she was going to the certainly not.

Q. And do you know anything about who murdered your husband? A. I certainly do not, Mr. Coatsworth.

Q. And you have received no information or knowledge by which you can place your hands on the person who did it? A Most

Mr. Coatsworth That is all, your Henor. MRS. BUBDICK SWEARS SHE RAD NO CRIM!-NAL BELATIONS WITH PENNELS.

NAL RELATIONS WITH PENNELL.

The audience released its breath, for Mrs. Burdick had not said that she suspected Pennell.

Albert Hartzell, one of the attorneys for Mrs. Burdick and Mrs. Hull, jumped up and got permission to ask quietlois. Hartrell seemed quite willing to show that Pennell was in a strange frame of mind. Here is the way he went at it.

Q. Now from the time that you first noticed that Pennell knew that Mr. Burdick had gotten letters from you that Pennell had written you, did Pennell show agitation in reference to the fact? A Yes, he did.

Q. Did he ever say to you that he wanted to get those letters back from Mr. Burdick? A Yes, he has said so.

Q. Was he excited over the pending divorce action? A I tidnik he was Q. bo you think, from the many times that you had an opportunity to observe him, that his mind was greatly wrought up over this divorce action? A he was cartainly very ranch agitated, although he tried to cover it up to me. I think.

Q. He was a man that would knearly feel disgrace that might arise from revelations that this divorce action, would bring out?

A I think he was very.

Q. He was a man that would knearly feel disgrace that might arise from revelations that this divorce action, would be bring out?

A I think he was very.

A I think he was very.

Q He was a man that would healtan about having revealed suspicionic circumstances concerning his relations and year relations. A Yea six.

The specialization embled a fet when his thanking that her fourthink was knowinged by fentacil.

Q Now, him Burdick in reference to these stoom story that the fourthing was knowinged by fentacil.

Q Now, his Burdick in reference to these stoom story doll to nech your A He manged me. Mr Hartacil.

Q Tests will excluse the recenture that he was indicated with exclusive the recenture that he was indicated with pour man he said? A He was, I think

Q Now, is all these experimental early the Pennacil did sens ever have at apparent mend with ine at signific A he, said.

Q till all these expenditules with provide her with the pennacil man at signific A he, said.

Q till all these expenditules with Pennacil with the pennacil many and the promise part of those is pentitude placeme? A her of the said from appointment with fer pennacil a pennacy and the promise part of the said those appointments with Pennacil ment of the said of the said and some standard and according an extra constitute with Arthur Pennacil. A I have a cite of the said the same appointment and according to extra constitute with Arthur Pennacil. A I have a cite.

All third her every semples many terdement parageometric the year? A. No. are
by Wester they established properties of settable
your wester guildry with their time inherent their trees
gon'to habit dated provingulations than a real grane limit
to part take morne advised your. A. Time was Q. Why was he an anxious about this division processing if he know he was immorest! A. He thought the circumstances

Printers AND experts examine the print-ing qualities of half-tone plates. Such qualities save money in make-ready, and make possible results to be prouded. I'er years Gill ria es have been printers' favorites. MEGILL ENGRAVING

were suspicious and he was afraid to have
the expressings of his heart made public.
Mr. Hartzeil let it be known that he and
his brother recently tried some experiments
in the Burdick house. They made a noise
in the den while Mrs. Burdick went upstairs
and listened as hard as she could. She
said she was unable to hear the lawyers
shu ing and pounding.

Next. Mr. Hartzell took a whirl at Mr.
Burdick's habit of dressing well and inquired
whether he sasn't fond of company of
women. This recalled the theory to which
the police clung so long; that Burdick had
a woman caller after intimight and was
attled by her or some one who had followed
her.

After a while Mr. Hartzell tooks.

her a while Mr. Hartzell struck a new tack, a comewhat exprising one, as it brought in the name of Mrs. Pennell as a had not been used before.

() Mr. Burdick's relations with Mrs. Pennell were of such a friendly nature that he would have remeived her at his home at any time, would be not? A I think he would

O Fren of night, I suppose in the

to They came elept and select there. I Mr Margaril than tried to show that the

Spring Top Coats C stuff or style is right here al your command. all ready to put on Long or start, 546 to 575. Costs nothing to look at them? Scan cur Watelangte ?

A. RAYMONU & CO Montess cos. Fuliar, te